

TC 695-06 SBA Towers
Spec. Except.

MSA. S. 1829-6108



TALBOT COUNTY BOARD OF APPEALS

28712 GLEBE ROAD, SUITE 2
EASTON, MARYLAND 21601

PHONE: 410-770-8040

FAX: 410-770-8043
TTY: 410-822-8735

November 29, 2007

Critical Area Commission
Nick Kelly
1804 West Street
Annapolis, MD 21401

RE: DECISION ON BOARD OF APPEALS #1439, S.B.A., NETWORK BUILDING & CONSULTING, LLC.

Dear ^{Nick}~~Mr. Kelly~~,

Enclosed please find a copy of the signed Board of Appeals decision on the above referenced project. Please note that there is a 30 day appeal period with the Circuit Court from the date the decision was signed.

Should you have any questions in reference to this appeal please call the Board of Appeals office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Chris Corkell".

Chris Corkell
Administrative Assistant

Enclosure

RECEIVED

DEC 3 2007

CRITICAL AREA COMMISSION
Chesapeake & Atlantic Coastal Bays

DECISION
TALBOT COUNTY BOARD OF APPEALS
Appeal No. 1439

Pursuant to due notice, a public hearing was held by the Talbot County Board of Appeals at the Bradley Meeting Room, Court House, South Wing, 11 North Washington Street, Easton, Maryland, beginning at 7:30 p.m., October 29, 2007, on the application of **SBA NETWORK SERVICES, INC.** ("Applicant"). The Applicant is seeking a special exception to construct a 190-foot wireless communications tower with an 8-foot lightning rod, for a total height of 198 feet, and with an equipment shed within a 30' x 80' fenced area. In addition, the Applicant is requesting a variance of the required 25-foot non-tidal wetland buffer to zero feet to upgrade an existing road to provide access to the tower. The property is located at 21579 Donnell Jones Road, Sherwood, Maryland 21665. It is in the Rural Conservation (RC) zone. The property owners are Douglas and Lisa Raymond. The request is made in pursuant to Chapter 190 Zoning, Article IV, §190-19 and §190-20M; Article XII, §190-93E(7); and Article XIV, §190-104 and §190-105E of the Talbot County Code ("Code").

Present at the hearing were Board of Appeals members Paul Shortall, Jr., Chairman, Phillip Jones, Vice Chairman, Rush Moody, Betty Crothers, and Margaret Young. Glenn D. Klakring was the attorney for the Board of Appeals.

It was noted for the record that all members of the Board had visited the site.

The following exhibits were offered and admitted into evidence as Board's Exhibits as indicated:

1. Applications for special exception and variance (two pages).
2. Copy of a portion of the Talbot County tax map with the property highlighted.
3. Notice of Public Hearing.
4. Certificate of publication of the Notice of Public Hearing from the Star-Democrat.
5. Notice of hearing with a list of nearby property owners attached thereto.

6. Copy of special exception requirements from the Code with the Applicant's response to each applicable requirement.
7. Copy of non-critical area variance requirements from the Code with the Applicant's response to each applicable requirement.
8. Copy of critical area variance requirements from the Code with the Applicant's response to each applicable requirement.
9. Revised Staff Memorandum and original Staff Memorandum.
10. Planning Commission comments.
11. Sign maintenance agreement.
12. Letter from the Critical Area Commission, dated September 21, 2007.
13. Letter from the Critical Area Commission, dated November 29, 2007.
14. Site plans.
15. Aerial photograph of site.
16. Four photographs of signs posted on site.
17. Copy of balloon test notice published in local newspaper on November 16 and 17, 2006.
18. Copy of balloon test notice published in local newspaper on December 13, 2006.
19. Copy of public notice published on September 14, 2006.
20. Copy of public notice published on September 27, 2006.
21. Copy of public notice published on November 3, 2006.
22. Letter from Easton Airport manager, dated October 6, 2006.
23. Letters received opposing application.
24. Letter received supporting application.
25. Letter from Doug and Lisa Raymond, dated September 14, 2006.

26. Copy of letter sent by Network Building & Consulting, LLC, dated September 21, 2006 with certified mail receipts.
27. Letter from Brian and Joanne Mulvey, dated December 14, 2006.
28. NEPA Environmental Effects Checklist, dated May 17, 2006.
29. Letter regarding wetlands delineation dated December 18, 2006.
30. Wetland delineation summary chart.
31. Letter from Brian and Joanne Mulvey, dated October 31, 2006.
32. Letter from Clifford E. Holland, dated January 2, 2007.
33. Letter from Clifford E. Holland, dated January 18, 2007.
34. Letter from Talbot County Emergency Management Agency, dated November 29, 2006.
35. Copy of email from Paul Whitley, dated November 8, 2006.
36. Letter from Maryland Department of Agriculture, dated July 25, 2007.
37. Memorandum from Edwards and Kelcey, dated July 20, 2007.
38. Transmittal Memo with photo simulations, dated August 15, 2007.
39. Letter from Clifford E. Holland, dated September 12, 2007.
40. Letter from Joanne Mulvey, dated September 13, 2007.
41. Memorandum from Talbot County Historic Preservation Commission, dated October 2, 2007.
42. Minutes of Talbot County Historic Preservation Commission, dated November 6, 2006.
43. Minutes of Talbot County Historic Preservation Commission, dated October 1, 2007.
44. Memorandum from Richard Hutchison, Chairman, Talbot County Planning Commission, dated October 26, 2007.
45. Letter from numerous persons, dated October 24, 2007.

46. Zone chart, dated October 29, 2007.

47. Three ring binder with various documents.

Ms. Hillorie S. Morrison, Network Building & Consulting, LLC, 7380 Coca Cola Drive, Suite 106, Hanover, Maryland 21076, representing the Applicant, testified in support of the application. The Applicant is in the business of providing towers for cellular telephone carriers and has over 7,000 towers across the country, usually for multiple carriers. The proposed new tower is in a wooded area along Route 33, mid way down the peninsula. At its closest point it will be 247 feet from the property line. It is zoned resource conservation and the site of the tower has been exempted from the farmland preservation zone previously established on the property. The tower will provide cellular coverage for most of the land area south of the tower.

Michael McCormick, President, SBA Network Service, Inc. testified that the tower would be less than 200 feet and not require any aircraft warning lighting.

Ms. Morrison said that there would be minimal wetlands disturbance as they will use the existing road. The tower will be a monopole without lighting. The site will be landscaped as required by the County. She reviewed each of the requirements of section 190-20M of the Code with respect to the SBA application. She also offered a letter from the Talbot County Emergency Management Agency, dated November 29, 2006. It was admitted as Applicant's Exhibit No. 1. There are no other towers within three miles of the proposed tower site. The tower will handle up to six carriers.

Ms. Morrison went through each of the special exception requirements. She said that the tower will be visible but partially obscured by vegetation.

Ms. Morrison then responded to a question from Mr. Jones regarding soils on the site. She then responded to a question from Mr. Moody about road access to the site.

She reviewed the non-critical area requirements of the Code with respect to the application.

Mr. McCormick said that SBA will accept a 10-foot wide access road restriction.

Ms. Morrison then addressed each of the critical area requirements of the Code.

James Hutchison, 6686 Bellevue Road, Royal Oak, testified that the proposed tower will provide or improve cellular coverage in an area presently without or with poor coverage at present. It will also expand services to mariners in the area and improve public safety.

Robert Sullivan, 21630 Camper Circle, Tilghman, testified in support of the application. The improved cellular coverage would improve safety and convenience.

Michelle Lednum, 22851 Pot Pie Road, Wittman, also testified in support of the application.

Jack Redman, Tilghman Island Inn, Tilghman, said that it is an impediment to business that there is no cellular phone coverage in Tilghman. He felt the proposed tower would be good for the community.

Lacey Hayes said that the proposed tower would improve responses to emergency medical needs of persons in the area.

Owen Wormser, Royal Oak, testified in support of the proposal.

Robert Royals, who lives near the site of the proposed tower and will be able to see it from his home, testified in support of the proposal.

Ms. Morrison then responded to questions from Mrs. Young and Mrs. Crothers regarding other potential sites.

Christopher Drummond, Esquire, Centreville, Maryland, representing persons opposing the application, questioned Ms. Morrison regarding the County Comprehensive Plan and on traffic issues. He offered a portion of the Comprehensive Plan. It was admitted as Complainants' Exhibit No. 2.

Clifford Holland, 5071 Dun Cove Road, Sherwood, testified. He said that he was in favor of improved cellular coverage for the area but this proposal was ill conceived. He said it would have a

negative impact on the value of properties in the area. Also, he said that there is presently some cellular coverage in the area.

Mr. Drummond offered a photograph of the existing road leading to the site of the proposed tower. It was admitted as Complainants' Exhibit No. 3. He offered a package of documents under the title of "Proposed Sherwood Cell Tower." The package was admitted as Complainants' Exhibit No. 4.

Brian Mulvey testified in opposition to the proposal. He said that the private road leading to the property does not meet the County standards for a private road. He identified two photographs of the private road. There were admitted as Complainants' Exhibits 5 and 6.

Matthew Wolf, telecommunications engineer, Edwards & Kelsey, 100 South Charles Street, Baltimore, then testified. He said he had reviewed the application and made a site survey. He said that a distributed antenna system could meet the needs of the community without need of a tall tower. He said that a tower no higher than 170' could provide the coverage suggested by the Applicant. He felt that the proposed tower would have a significant visual impact on the community.

Mukund S. Didolkar, M.D., was opposed to the application because of its negative visual impact and the inadequacy of the road to the site. He said that he had cellular service at his home in the area.

Willard Nielsen, Wittman, was opposed to the application. He suggested that alternative to a large tower be considered.

William Snook, Sherwood, read a letter from the owner of Layton Farm, opposing the application.

Barney Johnson, owner of a new home in the area, was opposed to the application and urged that alternative cellular systems be considered. He identified a picture of his house as Johnson Exhibit No. 1.

Bernice F. Walk, Sherwood, was opposed to the application because of its visual impact and because it would have a negative impact on the value of her property.

Ms. Morrison and Mr. Drummond then made closing statements.

Due to the late hour, the meeting was then continued to 6:30 p.m. on November 6, 2007, for the Board to consider the application. The meeting was adjourned at 11:30 p.m.

On Monday, November 6, 2007, the Board met at 6:30 p.m. to consider the application. The Applicant, through Ms. Morrison, made a motion to withdraw the application. The Board met in executive session with the Board's attorney to discuss certain legal issues raised by the applicant's request. Thereafter, the Board reopened the public meeting and upon motion duly made and seconded, voted 5 to 0 to deny the request to withdraw the application.

The Board then considered the application. Mr. Moody observed that the Board cannot declare a moratorium on cellular towers and must consider each application on its own merits. He said that the Board of Appeals should be the last stop for such an application and all matters, such as site plan approval and technical advisory committee review, should be completed before an application for a cellular tower reaches the Board of Appeals. He said that the Applicant had not carried its burden of proof with respect to either the special exception or the variances.

Mr. Jones agreed and said that he could not find that the proposal was consistent with the County Comprehensive Plan.

Mrs. Young agreed with Mr. Moody and Mr. Jones and felt that the proposal was not consistent with the Comprehensive Plan. She said she was also troubled by the lack of analysis of alternative sites for potential cellular coverage for the area.

Mrs. Crothers agreed with each of her colleagues on the Board.

Mr. Shortall observed that nothing in the County Code protected one's view but he was concerned with the proposed commercial venture on a private road serving many residents and the apparent lack of an agreement on the maintenance of the road.

There being not further evidence, the Board considered the application. Upon motions duly made and seconded, the Board made the following findings of fact and law:

1. All legal requirements pertaining to a public meeting were met.
2. The proposed use is not consistent with the purposes and intent of the Talbot County Comprehensive Plan. The tall cellular tower with relatively little vegetative screening is inconsistent with the rural character of the area.
3. The Board could not find from the evidence presented that the proposed use is designed to be compatible in terms of scale, bulk and general appearance with adjacent land uses and with existing and potential uses in its general area. The tower would be clearly visible from virtually all properties in the surrounding areas.
4. The Board could not find from the evidence presented that the proposed use provides for the avoidance of significant adverse impacts on the surrounding area with regard to trash, odors, noise, glare, vibration, air and water pollution and other health and safety factors or environmental disturbances. The application proposes a commercial activity on a private, mainly residential road, where there is no agreement as to future maintenance of the road.
5. The Board could not find from the evidence presented that the proposed use is compatible with the pattern of existing developed land use in the vicinity and will not be detrimental to the use, peaceful enjoyment, or economic value of existing neighboring property. The Applicant did not present any evidence, expert or not, concerning the impact of the proposal on the values of nearby properties.

6. The Board could not find from the evidence presented that the proposed use would not be such as to create a nuisance to other properties in the vicinity, or their occupants, or that it would it be a hazard to public health, safety or welfare.
7. The Board could not find that the proposed use would not have a significant adverse impact on public facilities of services including roads, schools, water and sewer facilities, police and fire protection or other public facilities or services.
8. The proposed use would not have a significant adverse effect upon marine, pedestrian, or vehicular traffic except as might be caused by the lack of maintenance of the private road providing access to the site.
9. The proposed use could produce traffic volumes which would exceed the capacity of public or private roads in the area or elsewhere in the County.
10. Vehicle access to off-street parking areas and drive-in facilities are designed to minimize conflicts between vehicular, bicycle and pedestrian traffic but could impact on adjacent properties and on public or private roads.
11. The Board could not find that the proposed use would not significantly adversely affect wildlife with respect to the site's vegetation or water resources and supplying food, water, cover, habitat, nesting, or other needs of wildlife. The proposal requests a variance from non-tidal wetlands for an access road. No evidence was presented regarding the impact of such a variance on the existing non-tidal wetlands.
12. The proposed use would not adversely affect any adjacent existing agricultural uses.
13. The Board could not find that certain unique physical characteristics exist, such as unusual size or shape of the property or extraordinary topographical conditions, such that a literal enforcement of the provisions of the Ordinance would result in practical

difficulty or unreasonable hardship in enabling the Applicant to develop the property. The Applicant notes in its written response to this requirement that nearly the entire parcel is located within wetlands and strict compliance with the Code is not practical. The entire parcel is currently used for various purposes by its owners. The Applicant proposes a new commercial use for a portion of the parcel. Because of the topography of the area there is nothing unique about the existence of wetlands on the parcel. However, the Applicant has not presented any evidence that other suitable sites in the area are not available that could provide the same service to the community where compliance with the Code is practical.

14. The granting of the variance would be based upon circumstances which are self-created or self imposed. The Applicant, again in its written responses, reports that the need for the variance stems from the requirement to satisfy the zoning regulations and the environmental regulations imposed upon the subject property. The Applicant chose a property subject to those restrictions and asks that those restrictions be varied to meet the needs of the proposal. The need for the variance is clearly self-imposed.
15. Greater profitability or lack of knowledge of the restriction was not considered by the Board.
16. The Board could not find from the evidence presented that the granting of the variance will not be contrary to the public interest and will not be a detriment to adjacent or neighboring properties.
17. The Board finds no practical difficulty or unreasonable hardship.

18. The Board could not find that there are special conditions or circumstances that are peculiar to the land or structure such that a literal enforcement of the Code would result in an unwarranted hardship to the property owner.
19. The Board could not find that a literal interpretation of the Ordinance would deprive the owner of rights commonly enjoyed by other property owners in the same zone.
20. The granting of the variance would confer upon the property owner a special privilege that would be denied by the Code to other owners of lands in the same zone.

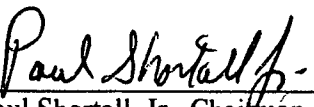
HAVING MADE THE FOREGOING FINDINGS OF FACT AND LAW, IT IS, BY THE
TALBOT COUNTY BOARD OF APPEALS,

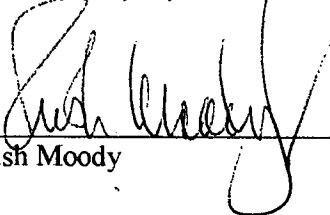
RESOLVED, that the Applicant, SBA NETWORK SERVICES, INC. (Appeal No. 1439) is
DENIED the requested special exception and variance.

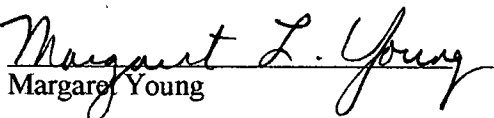
The vote of the Board was five to zero to deny the variance and the special exception.

GIVEN OVER OUR HANDS, this 29TH day of NOVEMBER, 2007.


TALBOT COUNTY BOARD OF APPEALS


Paul Shortall, Jr., Chairman


Rush Moody


Margaret Young


Phillip Jones, Vice Chairman


Betty Crothers

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

Ren Serey
Executive Director

**STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

1804 West Street, Suite 100, Annapolis, Maryland 21401
(410) 260-3460 Fax: (410) 974-5338
www.dnr.state.md.us/criticalarea/

September 21, 2007

Ms. Chris Corkell
Talbot County Office of Planning and Zoning
11 N. Washington Street
Courthouse
Easton, Maryland 21601

Re: Appeal #1439
SBA Towers Variance

Dear Ms. Corkell:

Thank you for providing information on the above referenced variance request. The applicant is proposing to construct a new 198 foot monopole telecommunications tower with a lightning rod and is requesting to reduce the 25 foot nontidal wetlands buffer to zero feet in order to upgrade an existing road that provides access to the proposed tower. The site is located in a Rural Conservation Area (RCA) and is 70.56 acres in size. The project will consist of constructing the tower, expanding the roadway from 6 feet to 12 feet, and building a 30 foot by 80 foot fenced equipment compound (reduced from the original compound area that was proposed to be 60 feet by 60 feet). Approximately 1,400 square feet of Buffer area will be affected by this project. The applicant states that the 12-foot access road is necessary to provide usable access to the compound area. There is no Forest Interior Dwelling Birds (FIDS) or Delmarva Fox Squirrel habitat located on-site.

Based on a conversation with Alan Kampmeyer from the Nontidal Wetlands Division of the Maryland Department of the Environment (MDE), it is our understanding that Mr. Kampmeyer visited the property and determined that nontidal wetlands existed on-site. Mr. Kampmeyer stated that the original configuration of the fenced equipment compound placed much of the compound inside the nontidal wetlands; the new site plan has reconfigured and reduced the size of the compound to place it outside of this sensitive area. In addition, Mr. Kampmeyer confirmed that the proposed roadway to reach the compound was the best alternative available for the project in terms of minimizing disturbance to nontidal wetlands located on-site.

With regards to the proposed expansion in road width from six feet to 12 feet, Talbot County Code §134-10 states that, "a privately owned access or road for not more than 10

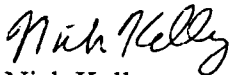
residential lots shall be classified as a private road. The minimum roadway width of a proposed private road shall be 40 feet, including a minimum road width of 12 feet." Furthermore, the applicant claims that vehicular access would occur only once or twice a month in five minute increments. Regardless, staff recommends reducing the width of the road to 10 feet in order to minimize disturbance to the Buffer.

Based on the information provided by the applicant and Mr. Kampmeyer, we do not oppose this project. However, we do have the following comments:

1. Please have the applicant provide on the site plan the amount of existing and proposed impervious surface on site. The total amount of impervious surface allowed on-site cannot exceed 15% (10.6 acres). In addition, please have the applicant provide the amount of impervious surface by structure (tower, shelter, roadway, etc.).
2. Mitigation for any disturbance to the 25-foot nontidal wetland buffer must be provided at a 2:1 ratio.
3. Please have the applicant provide information on the amount of proposed clearing for this project. Any forest clearing that is involved with the construction of this project will require mitigation. If up to 20% of forest is cleared from the parcel, then mitigation at a ratio of 1:1 is required; if clearing is between 20% and 30%, mitigation is required at 1.5:1 ratio; clearing of over 30% of the site requires 3:1 mitigation.

Thank you for the opportunity to provide comments to this Board of Appeals variance. Please include this letter as a part of the record for this variance. Also, please notify the Commission in writing of the decision made in this case. If you have any questions, feel free to call me at (410) 260-3483.

Sincerely,



Nick Kelly

Natural Resource Planner

cc: TC 695-06



**STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS**
1804 West Street, Suite 100, Annapolis, Maryland 21401
(410) 260-3460 Fax: (410) 974-5338
www.dnr.state.md.us/criticalarca/

February 12, 2007

Ms. Mary Kay Verdery
Talbot County Office of Planning and Zoning
11 N. Washington Street
Courthouse
Easton, Maryland 21601

Re: SBA Network Services
Cell Tower Site Plan

Dear Ms. Verdery:

Thank you for providing information on the above referenced site plan. The applicant is requesting approval of a site plan in order to construct and place a new cell tower and associated structures. The applicant's proposal is being reviewed concurrent with a special exception to permit the cell tower as a use within the Resource Conservation Area (RCA).

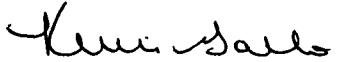
Based on the information provided, it appears that the proposed development will disturb approximately 13,700 square feet of forested cover within the RCA, and proposes to construct approximately 3,600 square feet of new impervious surface area. At this time, the site plan provided contains multiple deficiencies. I have outlined our concerns below.

1. The State wetland maps indicate that the site contains areas of tidal and nontidal wetlands which have not been identified on the site plan. While these areas may or may not be directly impacted by the proposed development, they must be shown on the site plan. This office has concerns that portions of the proposed development potentially impact a tidal or nontidal wetland Buffer or expanded Buffer area. I have included a copy of the mapped wetlands for reference.
2. The small scale soils map provided on Sheet # Z-8 indicates that areas of hydric Othello, Fallsington, and Elkton soils exist on the property. Where these soils lie contiguous the 100-foot Buffer, expansion of the Buffer may be required. Please have the applicant provide a full-sized overlay of the hydric soils in relation to the existing wetlands and wetland buffers, as well as in relation to the proposed development.
3. Please advise the applicant that mitigation will be required for all proposed clearing at a 1:1 ratio.

Mary Kay Verdery
SBA Tower Site Plan
February 12, 2007
Page 2

Thank you for the opportunity to provide comments. Please have the applicant provide a revised site plan which addresses the concerns stated above. If you have any questions, please contact me at 410-260-3482.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kerrie Gallo".

Kerrie L. Gallo
Natural Resources Planner
TC695-06

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

**STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

1804 West Street, Suite 100, Annapolis, Maryland 21401

(410) 260-3460 Fax: (410) 974-5338

www.dnr.state.md.us/criticalarea/

November 29, 2006

Ms. Mary Kay Verdery
Talbot County Office of Planning and Zoning
11 N. Washington Street
Courthouse
Easton, Maryland 21601

Re: SBA Towers Special Exception

Dear Ms. Verdery:

Thank you for providing information on the above referenced special exception. The applicant is requesting a special exception to permit construction of cell tower within an area zoned as a Resource Conservation Area (RCA).

Based on the information provided, it is my understanding that the applicant is currently seeking approval for and comments on only the proposed use of the cell tower. I understand that additional site plans will be provided for review by the Technical Advisory Committee (TAC), and will be sent concurrently to Commission staff for review. While site plan deficiencies would be identified and addressed as a component of the TAC review process, the Board should be aware that there appear to be wetlands on the site which are not shown on the site plan and whose presence or buffers could potentially affect our position regarding the location of the proposed tower. Generally, if the Board finds that the proposed use is consistent with the intent of the County's comprehensive plan and zoning ordinance, this office does not have further concerns with the use. However, our ability to provide effective comments at this point is limited by the uncertainty presented by a lack of site plan detail. Please ensure that the Board considers the lack of clarity regarding the location of the tower and the location of environmental features on the current site plan while evaluating whether the proposed use can be considered consistent with the intent and character of the RCA.

Thank you for the opportunity to provide comments for this special exception request. Please include this letter in your file and submit it as part of the record. If you have any questions, please contact me at 410-260-3482.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kerrie L. Gallo".

Kerrie L. Gallo
Natural Resources Planner
TC 695-06

DRAWING INDEX

T-1	TITLE SHEET
Z-1	OVERALL SITE PLAN
Z-2	DETAILED SITE PLAN AND SITE NOTES
Z-3	EQUIPMENT LAYOUT
Z-4	TOWER AND CINGULAR SHELTER ELEVATION VIEWS
Z-5	SITE DETAILS
Z-6	SOIL EROSION AND SEDIMENT CONTROL PLAN
Z-7	SOIL EROSION AND SEDIMENT CONTROL NOTES AND DETAILS - 1
Z-8	SOIL EROSION AND SEDIMENT CONTROL NOTES AND DETAILS - 2
Z-9	STORMWATER MANAGEMENT CALCULATIONS AND DRAINAGE AREA MAP

PROJECT CONTACTS

	NAME	COMPANY	PHONE NUMBER
A&E	CRAIG ZEIDMAN	DEWBERRY-GOODKIND, INC.	(856) 802-0843
SITE ACQ.	GREG TULLY	NB&C	
CONSTRUCTION	JERRY MERGLER	SBA NETWORK SERVICES, INC.	(561) 226-9367
OWNER CONTACT	DOUGLAS RAYMOND & LISA JONES-RAYMOND	LAND OWNER	(410) 886-2343

UTILITY CONTACTS

ELECTRIC	DELMARVA POWER AND LIGHT COMPANY
TELEPHONE	VERIZON

MISS UTILITY
SAVE BIG, CALL 72 HOURS
BEFORE YOU DIG.
1-800-257-7777

DO NOT SCALE DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ENGINEERS IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK.

THIS DOCUMENT WAS DEVELOPED TO REFLECT A SPECIFIC SITE AND ITS SITE CONDITIONS AND IS NOT TO BE USED FOR ANOTHER SITE OR WHEN OTHER CONDITIONS PERTAIN. REUSE OF THIS DOCUMENT IS AT THE SOLE RISK OF THE USER.

**Dewberry**
Dewberry-Goodkind, Inc.
EASTGATE BUSINESS CENTER
133 GAITHER DRIVE, SUITE T
MT. LAUREL, NEW JERSEY 08054
PHONE: 856.802.0843
FAX: 856.802.0846

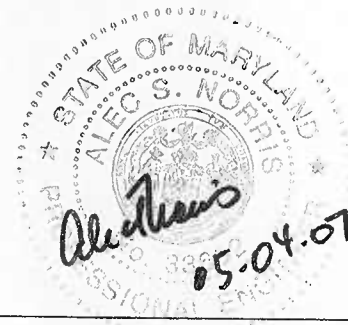
**SBA**
SBA NETWORK SERVICES, INC.
700 CINNAMON AVENUE
BUILDING B, SUITE 107
PALMYRA, NJ 08065
PHONE: (856) 786-6728
FAX: (856) 786-4038

**cingular**
WIRELESS
7150 STANDARD DRIVE, HANOVER, MD 21076

SITE NAME:
SHERWOOD SHORES
SITE ID: MD09029-S

TAX MAP 38 LOT 43
21579 DONNELL JONES ROAD
SHERWOOD, MARYLAND 21665
TALBOT COUNTY

No.	REVISION	DATE	BY
1	RE-ISSUED FOR ZONING	05/04/07	CJZ
0	ISSUED FOR ZONING	06/02/06	CJZ
B	RE-ISSUED FOR ZONING REVIEW	04/11/06	CJZ
A	ISSUED FOR ZONING REVIEW	03/31/06	ASN



ALEC S. NORRIS, P.E., MD. LIC. NO. 33652

Job No.
97440801

Drawn
CJZ

Designed
ASN

SHEET No.

T-1

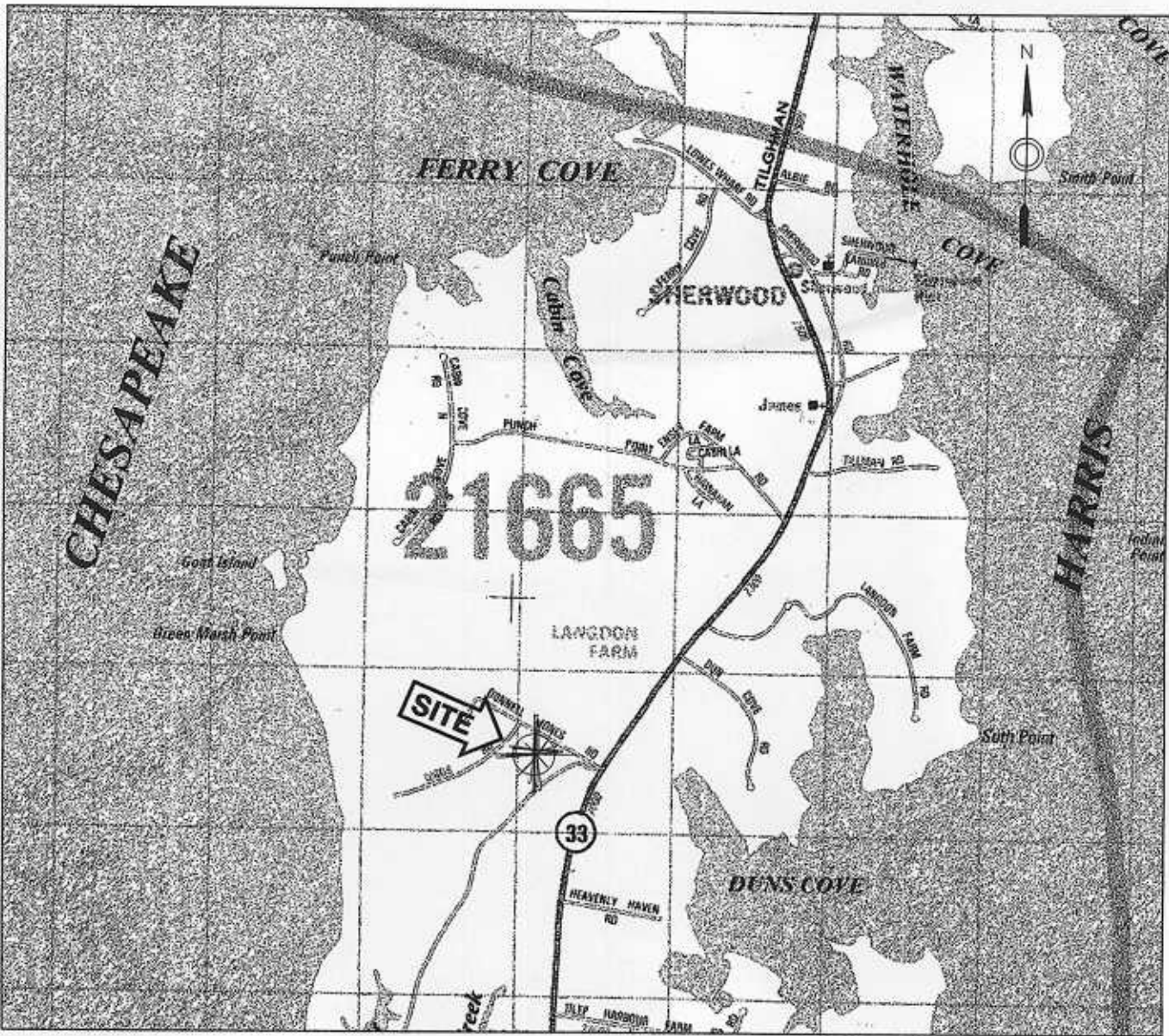
RECEIVED
AUG 29 2007
CRITICAL AREA COMMISSION



PROPOSED UNMANNED WIRELESS COMMUNICATIONS SITE
SITE NAME: SHERWOOD SHORES
SITE NUMBER: MD09029-S
21579 DONNELL JONES ROAD
SHERWOOD, TALBOT COUNTY, MARYLAND

VICINITY MAP

DIRECTIONS TO THE SITE:
FROM HANOVER: PROCEED TO ROUTE 100 TOWARDS GLEN BURNIE. TAKE I-97 SOUTH TOWARDS ANNAPOLIS. FOLLOW SIGNS FOR THE BAY BRIDGE AND MERGE ONTO ROUTE 50 EAST. FOLLOW 50 EAST OVER THE BRIDGE AND CONTINUE TOWARDS EASTON. TAKE THE EXIT FOR ROUTE 322 SOUTH AND FOLLOW TO ROUTE 33 WEST. PROCEED ON ROUTE 33 WEST INTO SHERWOOD AND MAKE A RIGHT ONTO DONNELL JONES ROAD. THE SITE WILL BE ON THE LEFT.



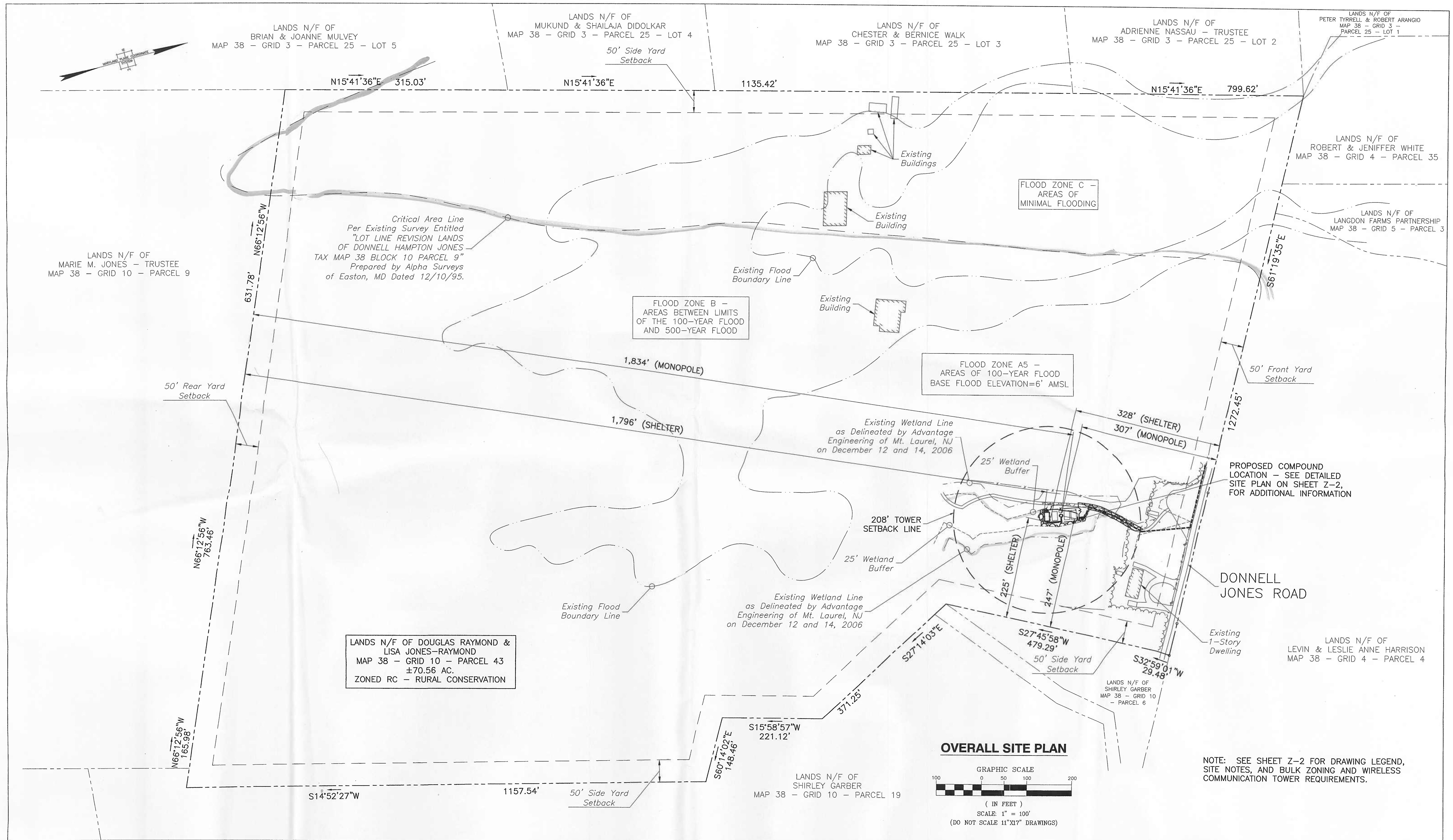
NOT TO SCALE

SITE INFORMATION

PROPERTY OWNER:	DOUGLAS RAYMOND & LISA JONES-RAYMOND 21579 DONNELL JONES ROAD SHERWOOD, MARYLAND 21665
SBA I.D.#:	MD09029-S
SITE NAME:	SHERWOOD SHORES
APPLICANT:	SBA TOWERS, INC. 5900 BROKEN SOUND PARKWAY NW BOCA RATON, FL 33487
SITE ADDRESS:	21579 DONNELL JONES ROAD SHERWOOD, MARYLAND 21665
COUNTY:	TALBOT COUNTY
LATITUDE:	N 38° 44' 40.27" (NAD 83)
LONGITUDE:	W 76° 19' 54.06" (NAD 83)
ELEVATION:	3.6' AMSL (NAVD 88)
JURISDICTION:	TALBOT COUNTY
ZONING:	RC - RURAL CONSERVATION
AREA OF CONSTRUCTION:	±6,700 S.F.

PROJECT DESCRIPTION

THIS PROPOSAL IS FOR AN UNMANNED WIRELESS COMMUNICATIONS FACILITY CONSISTING OF THE INSTALLATION OF TWELVE (12) PROPOSED CINGULAR PANEL ANTENNAS ON A PROPOSED 190 FOOT TALL MONOPOLE, AND THE PLACEMENT OF A 11'-6"x20'-0" PREFABRICATED CINGULAR EQUIPMENT SHELTER ON CONCRETE PIERS WITH ASSOCIATED APPURTENANCES WITHIN THE SUBJECT LEASEHOLD.



Dewberry
Dewberry-Goodkind, Inc.
EASTGATE BUSINESS CENTER
133 GAITHER DRIVE, SUITE T
MT. LAUREL, NEW JERSEY 08054
PHONE: 856.802.0843
FAX: 856.802.0846

SBA
SBA NETWORK SERVICES, INC.
700 CINNAMINSON AVENUE
BUILDING B, SUITE 107
PALMYRA, NJ 08065
PHONE: (856) 786-6728
FAX: (856) 786-4008

cingular
WIRELESS
7150 STANDARD DRIVE, HANOVER, MD 21076

SITE NAME:
SHERWOOD SHORES
SITE ID: MD09029-S
TAX MAP 38 LOT 43
21579 DONNELL JONES ROAD
SHERWOOD, MARYLAND 21665
TALBOT COUNTY

No.	REVISION	DATE	BY
1	RE-ISSUED FOR ZONING	05/04/07	CJZ
0	ISSUED FOR ZONING	06/02/06	CJZ
B	RE-ISSUED FOR ZONING REVIEW	04/11/06	CJZ
A	ISSUED FOR ZONING REVIEW	03/31/06	ASN

STATE OF MARYLAND
ALEC S. NORRIS
Professional Engineer
No. 33652
ALEC S. NORRIS, P.E., MD, LIC. NO. 33652

Job No.
97440801
Drawn
CJZ
Designed
ASN
SHEET No.
Z-1

SITE NOTES:

- EXISTING SITE INFORMATION TAKEN FROM THE FOLLOWING:
 - SURVEYS CONDUCTED BY MASER CONSULTING, P.A. OF HAMILTON SQUARE, NJ DATED 03/24/06 AND 12/27/06.
 - FIELD OBSERVATIONS CONDUCTED BY DEWBERRY-GOODKIND, INC., MARCH 2006.
- THE SUBJECT PROPERTY IS LOCATED WITHIN ZONE A5 - AREAS OF 100 YEAR FLOOD; BASE FLOOD ELEVATIONS DETERMINED (ELEVATION = 6' AMSL), ZONE B - AREAS BETWEEN THE LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD, AND ZONE C - AREAS OF MINIMAL FLOODING. ALL PROPOSED IMPROVEMENTS ARE LOCATED WITHIN ZONE A5 - AREAS OF 100-YEAR FLOOD. INFORMATION OBTAINED FROM FEMA FIRM- FLOOD INSURANCE RATE MAP FOR TALBOT COUNTY, MARYLAND (UNINCORPORATED AREAS), COMMUNITY PANEL NUMBER 240066 0029 A (PAGE 29 OF 54) EFFECTIVE DATE MAY 15, 1985.
- THERE IS NO LIGHTING PROPOSED FOR THIS FACILITY.
- ALL CONSTRUCTION FOR SITE IMPROVEMENTS SHALL CONFORM TO APPLICABLE SPECIFICATIONS, STANDARDS, AND REQUIREMENTS OF THE GOVERNMENTAL OR UTILITY AUTHORITIES HAVING JURISDICTION.
- DUE TO THE PRESENCE OF EXISTING MATURE SCREENING, NO LANDSCAPING IS PROPOSED FOR THE COMPOUND.
- THE MONOPOLE AND ANTENNA MOUNTING APPURTENANCES WILL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE CURRENT STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWERS AND ANTENNA SUPPORTING STRUCTURES (TIA/EIA-222-G) REV. AUGUST 2005.
- THE PROPOSED EQUIPMENT WILL BE UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SEWER SERVICE.
- THE PROPOSED FACILITY IS UNMANNED AND IS NOT FOR HUMAN HABITATION. (NO HANDICAP ACCESS IS REQUIRED).
- OCCUPANCY IS LIMITED TO PERIODIC MAINTENANCE AND INSPECTION, APPROXIMATELY 1 TIME PER MONTH, BY TECHNICIANS.
- NO NOISE, SMOKE, DUST OR ODOR WILL RESULT FROM THIS PROPOSAL.
- OUTDOOR STORAGE AND SOLID WASTE CONTAINERS ARE NOT PROPOSED.
- UTILITY ROUTING (I.E., ELECTRIC AND TELCO SERVICE) IS SHOWN FOR INFORMATIONAL PURPOSES ONLY. THE EXACT ROUTING METHOD AND LOCATION IS TO BE DETERMINED BY THE LOCAL UTILITY AUTHORITY AND WILL BE REPRESENTED ON FINAL CONSTRUCTION DRAWINGS.
- THE PROPOSED MONOPOLE WILL BE DESIGNED TO ACCOMMODATE FOUR (4) ADDITIONAL CARRIERS FOR CO-LOCATION.
- THE PROPOSED EQUIPMENT COMPOUND WILL HAVE A SIGN AFFIXED TO THE FENCE WHICH WILL INCLUDE AT A MINIMUM, THE FOLLOWING INFORMATION: PROPERTY OWNER, TOWER OWNER, CONTACT PHONE NUMBER, AND EMERGENCY CONTACT INFORMATION.

WETLAND NOTES:

APPROXIMATELY 1,400 SF OF WETLAND BUFFER AREA IS AFFECTED BY THE CONSTRUCTION OF THE ACCESS DRIVE AND UNDERGROUND UTILITIES. THE COMPOUND AND PARKING AREA IS LOCATED ENTIRELY OUTSIDE OF THE WETLAND BUFFER AREA.

NO IMPROVEMENTS ARE PROPOSED WITHIN A WETLAND AREA AS DELINEATED BY ADVANTAGE ENGINEERING ON 12/12/06 AND 12/14/06.

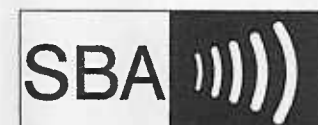
REQUIREMENTS FOR SECTION 190-20M, WIRELESS COMMUNICATIONS TOWERS				
DESCRIPTION	REQUIRED	EXISTING	PROPOSED	REMARKS
MAXIMUM TOWER HEIGHT	200 FEET	N/A	190 FEET TO TOP OF MONOPOLE - 198 FEET TO TOP OF LIGHTNING ROD	CONFORMING
MINIMUM TOWER SETBACK FROM ANY PROPERTY LINE, ROAD OR PUBLIC RECREATION AREA	208 FEET (198' PLUS 10')	N/A	247 FEET	CONFORMING

BULK REQUIREMENTS FOR RC - RURAL CONSERVATION ZONING DISTRICT				
DESCRIPTION	REQUIRED	EXISTING	PROPOSED	REMARKS
MINIMUM LOT SIZE	2 ACRES	±70.56 ACRES	NO CHANGE	CONFORMING
MAXIMUM STRUCTURE HEIGHT	N/A	< 30 FEET	10 FEET (SHELTER) 198 FEET (MONOPOLE)	CONFORMING
MINIMUM FRONT YARD	50 FEET	96 FEET	328 FEET (SHELTER) 307 FEET (MONOPOLE)	CONFORMING
MINIMUM SIDE YARD	50 FEET	102 FEET	225 FEET (SHELTER) 247 FEET (MONOPOLE)	CONFORMING
MINIMUM REAR YARD	50 FEET	1,975 FEET	1,796 FEET (SHELTER) 1,834 FEET (MONOPOLE)	CONFORMING
MINIMUM LOT WIDTH	200 FEET	1,272.4 FEET	NO CHANGE	CONFORMING
MINIMUM STREET FRONTAGE	50 FEET	1,272.4 FEET	NO CHANGE	CONFORMING



Dewberry-Goodkind, Inc.

EASTGATE BUSINESS CENTER
133 GATHER DRIVE, SUITE T
MT. LAUREL, NEW JERSEY 08054
PHONE: 856.802.0843
FAX: 856.802.0846



SBA NETWORK SERVICES, INC.

700 CINCINNATI AVENUE
BUILDING B, SUITE 107
PALMYRA, NJ 08055
PHONE: (856) 786-6728
FAX: (856) 786-4008

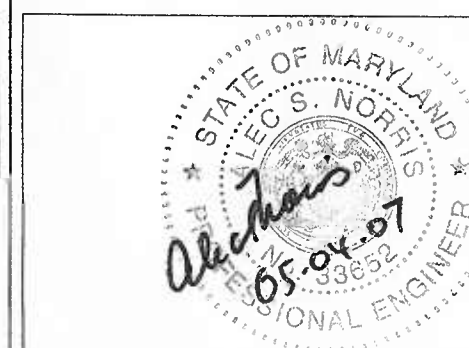


7150 STANDARD DRIVE, HANOVER, MD 21076

SITE NAME:
SHERWOOD SHORES
SITE ID: MD09029-S

TAX MAP 38 LOT 43
21579 DONNELL JONES ROAD
SHERWOOD, MARYLAND 21665
TALBOT COUNTY

No.	REVISION	DATE	BY
1	RE-ISSUED FOR ZONING	05/04/07	CJZ
0	ISSUED FOR ZONING	06/02/06	CJZ
B	RE-ISSUED FOR ZONING REVIEW	04/11/06	CJZ
A	ISSUED FOR ZONING REVIEW	03/31/06	ASN



ALEC S. NORRIS, P.E., MD. LIC. NO. 33652

Job No.
97440801

Drawn
CJZ

Designed
ASN

SHEET No.

Z-2

